

LOCAL ELECTORAL ADMINISTRATION AND REGISTRATION SERVICES (SCOTLAND) ACT 2006

EXPLANATORY NOTES

THE ACT

Part 2: Registration Services

Introduction

69. [Part 2](#) of the Act makes provision about the registration of births, death, marriages and civil partnerships etc. in Scotland.
70. Registration services in Scotland are provided by a partnership of the Registrar General for Scotland's department – the General Register Office for Scotland (GROS), which is part of the devolved Scottish Administration – and the 32 local councils. Local registrars are employees of the local authorities, which are responsible for pay and conditions and for accommodation, but their registration work is governed by instructions and guidelines set by the Registrar General within the existing legislative framework.
71. The registration of births, deaths and marriages in Scotland operates under the Registration of Births, Deaths and Marriages (Scotland) Act 1965 – “the 1965 Act”. Arrangements for marriage preliminaries and the solemnisation of civil marriages are governed by the Marriage (Scotland) Act 1977. Arrangements for civil partnership preliminaries and the registration of civil partnerships are governed by the Civil Partnership Act 2004. The Act does not change that basic framework.
72. Provisions of Part 2 of the Act were brought into force on 1st October 2006 and 1st January 2007 by the Local Electoral Administration and Registration Services (Scotland) Act 2006 (Commencement No. 1 and Transitional Provision) Order 2006 ([S.S.I.2006/469](#)), with transitional provision for marriage notices, as described below. The commencement of the provisions of Part 2 of the Act and its implementation is described below as it stood at the date of publication of these Notes. The fees set by the Registrar General for registration services generally were amended and consolidated, using various powers amended and created by the Act, in the Registration Services (Fees) (Scotland) Regulations 2006 ([S.S.I. 2006/575](#)).